

Title	<b>Case Management: New Rules on the Timing and Service of Pleadings; New and Amended Rules on Case Management; <i>Case Management Statement</i> (adopt Form CM-110); <i>Notice of Case Management Conference</i> (revoke Form CM-100)</b>
Summary	The California Rules of Court relating to the management of civil cases would be revised to establish a more uniform set of case management procedures in the courts of this state. The civil case management rules would be reorganized, outmoded rules would be eliminated, and modern case management practices would be incorporated into the rules. In addition, a case management statement form for general use in civil proceedings would be adopted and an outdated notice of case management conference would be revoked.
Source	Civil and Small Claims Advisory Committee
Staff	Patrick O'Donnell, Committee Counsel, 415-865-7665
Discussion	<p><u>The Case Management Rules</u></p> <p>The California Rules of Court relating to case management need to be revised to reflect modern case management practices. Some existing rules predate the Trial Court Delay Reduction Act; others reflect early practices under the Act. An integrated, up-to-date set of case management rules applicable to all trial courts would greatly simplify court procedures.</p> <p>The adoption of the proposed rules would result in an integrated set of rules on civil case management that apply to all the trial courts in the state. The new and amended rules would simplify case management procedures for all courts and practitioners. These rules should result in greater uniformity of civil practice and in reduced costs of litigation.</p> <p><i>1. New Rule 201.7 (Time for service of complaint, cross-complaint, and response)</i></p> <p>New rule 201.7 would provide a uniform rule on the time for service of pleadings. Many trial courts already have local rules on this subject. (See <i>Judges Benchbook: Civil Proceedings Before Trial</i> (CJER 1995) §§ 2.24–2.27.) The proposed new rule is based on existing local rules. If adopted, it should foster greater certainty and predictability on the timing of service of pleadings. In addition, the rule should serve as the foundation for good case management by providing a uniform set of times by which filing and service must be completed.</p>

*2. Rule 201.9 (Information about Alternative Dispute Resolution)*

Current rule 1590.1 requires a plaintiff to serve court-provided ADR information on each defendant along with the complaint. This rule would be renumbered as rule 201.9 and relocated because it seems more logical and helpful to place this rule with other rules on the service of pleadings.

*3. New Rules 204–209 (Differential case management rules)*

Current rules 2101–2106 concern differential case management. Because of the location of these rules, they are sometimes overlooked. The proposal would renumber rules 2101–2109 as new rules 204–209 and would place them together with the other case management rules in Title Two. In renumbered rule 206, the definition of “general civil case,” which will apply to all the civil trial court management rules, would be amended to exclude small claims cases and unlawful detainer proceedings.

*4. Repeal of Current Rules 209–211; adoption of New Rule 210*

Current rules 209 and 210 are obsolete. Although they apply to cases “not subject to the Trial Delay Reduction Act,” the Act today applies to virtually all general civil cases. The rules also refer to civil cases being “at issue” or on a “civil active list.” This terminology and its underlying assumptions are inconsistent with modern case management principles under which the courts have assumed the main responsibility for managing cases and ensuring their timely disposition.

New rule 210 would reflect the modern approach to case management and contemporary Judicial Council policy. It would require each court to adopt a case management and calendaring system that will advance the goals set forth in section 2 of the Standards of Judicial Administration.

Current rule 211, on the arbitration status conference, would be repealed and its main features incorporated into rule 212. These changes reflect that, in practice, courts do not hold separate arbitration status conferences, but instead deal with the assignment of cases to judicial arbitration as part of the case management process.

*5. Amended Rule 212 (Case Management Conference; Meet-and-Confer Requirement; and Case Management Order)*

Rule

212 is the main rule on case management. The existing rule applies only to cases where the court provides for a case management conference by local rule. The amended rule would require case management review of every general civil case, except those types of cases that are expressly

exempted.

Under the amended rule, the case management review must take place within 180 days after the filing of the initial complaint. The amended rule would provide that the court must hold a case management conference unless the court, based on the written submissions of the parties, concludes that such a conference is not necessary. If the court determines that a conference is not necessary, it may cancel the conference and issue a case management order.

The rule provides a list of the subjects to be considered at the case management conference. This list includes such matters as whether all parties have been served, whether the case should be referred to arbitration or other ADR, whether a jury trial has been demanded, and the setting of the dates for trial, a mandatory settlement conference, or a final case management conference. The rule requires that these matters be discussed in the case management statement and provides that they may be the subject of the case management order. The proposed rule would permit the statement to be submitted jointly, but does not require it.

The provision in current rule 212, under which the parties must meet and confer about the matters to be discussed in the case management statement no later than 30 days before the conference date, is retained. However, the statement will have to be filed at least 15 calendar days before that date rather than at least 5 days before as provided under the current rule. The increased time is necessary to allow the courts sufficient time to review the statements and determine whether a conference is required under rule 212.

Finally, the proposed rule provides that the case management order controls the subsequent course of the action or proceeding unless it is modified by a subsequent order. Thus, the order will notify all parties of the basic schedule of all pretrial events.

*6. New Rule 214 (Management of Short Cause Cases)* New  
rule 214 concerns the management of short cause cases. The rule derives from current rule 216, but it substitutes a contemporary case management approach to short cause cases for the older “at issue” approach used in rule 216.

*7. Repeal Rule 215 (Date Certain for Trial)* Rule  
215 provides that every case shall proceed to trial on the date set or, if necessary, within the next four court days. If the court cannot proceed

to trial within the time provided because of the unavailability of a trial department, the rule provides that the case will be reset for trial on a date certain and will be entitled to priority over the cases set for trial on the same day, except cases entitled to priority by law. This rule predates the Trial Delay Reduction Act. The rule appears to no longer be necessary and unduly restricts the flexibility of trial judges to set cases for trial.

8. *Repeal Rules 216–221 (Trial Setting)* Rules  
216–221 on trial setting would be eliminated. Because these rules generally apply only to cases “not subject to the Trial Delay Reduction Act,” they are mostly obsolete. Any appropriate trial setting features of the rules have been included in the new and amended case management rules.

9. *Other Rules*

Rules 213, 215, and 226, as well as the other rules on case management considered here, would be revised to reflect the contemporary style and usage in the Rules of Court. Rule 225 would also be amended to specifically provide that the plaintiff must notify not only the court and any arbitrator, but also any other court-connected ADR neutral, that a case has settled or otherwise been disposed of.

The Case Management Forms

The proposals include the adoption of a new form and the repeal of an existing one.

10. *Adopt Case Management Statement (Form CM-110)*

A new case management statement form would be adopted for general use in civil cases. Parties would use this form to comply with the requirements of rule 212. This form would be *mandatory*, would be used statewide, and would replace existing local case management statements and other similar forms. Comments are invited on whether the California Rules of Court should be amended to permit courts to require supplemental information by local rule.

The *Case Management Statement* form is designed to be submitted **jointly**, if the parties so elect. Comments are invited on whether rule 212 should be modified to **require** that case management statements be submitted jointly. If so, the form would be revised accordingly.

11. *Revoke Notice of Case Management Conference (Form CM-100)*

This notice form was approved effective January 1, 1995; however, it is

apparently rarely used. If the new rules on case management are adopted, the form would be outdated. Thus, the form should probably be revoked. Comments are invited on whether the form should be revoked or revised at this time.

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Attachments

## PROPOSAL

Rules 1590.1, 2101, 2102, 2103, 2104, 2015, and 2106 of the California Rules of Court would be renumbered and amended; rules 209, 210, 211, 215, 216, 217, 218, 219, 220, 221, 223, and 224 would be repealed; rules 212, 213, 222, 225, and 226 would be amended; and new rules 201.7, 210, and 214 would be adopted, effective January 1, 2002, to read:

### **DIVISION I. Rules for the Trial Courts**

#### **CHAPTER 1. General Provisions**

##### **Rule 201.7. Time for service of complaint, cross-complaint, and response**

- (a) **[Applicability]** This rule applies to the service of pleadings in civil cases except for unlawful detainer actions, proceedings under the Family Code, and other proceedings for which different service requirements are prescribed by law.
- (b) **[Service of complaint]** The complaint must be served on all named defendants and proofs of service on those defendants must be filed with the court within 60 days after the filing of the complaint. When the complaint is amended to add a defendant, the added defendant must be served and proof of service must be filed within 30 days after the filing of the amended complaint.
- (c) **[Service of cross-complaint]** A cross-complaint against a party who has appeared in the action must be accompanied by proof of service of the cross-complaint at the time it is filed. If the cross-complaint adds new parties, the cross-complaint must be served on all parties and proofs of service on the new parties must be filed within 30 days of the filing of the cross-complaint.
- (d) **[Timing of responsive pleadings]** The parties may stipulate without leave of court to one 15-day extension beyond the 30-day time period prescribed for the response after service of the initial complaint.
- (e) **[Modification of timing; application for order extending time]** The court on its own motion or on the application of a party may extend or otherwise modify the times provided in (b)–(d). An application for a court order extending the time to serve a pleading must be filed before

1 the time for service has elapsed. The application must be accompanied  
2 by a declaration showing why service has not been effected,  
3 documenting the efforts that have been made to effect service, and  
4 specifying the date by which service is proposed to be effected.  
5

6 **(f) [Failure to serve]** Unless the court has granted an order extending the  
7 time to serve a complaint or cross-complaint, the failure to serve and  
8 file pleadings as required under this rule may result in an Order to Show  
9 Cause being issued as to why sanctions shall not be imposed.

10  
11 **(g) [Request for entry of default]** If a responsive pleading is not served  
12 within the time limits specified in this rule and no extension of time has  
13 been granted, the plaintiff within 10 days after the time for service has  
14 elapsed must file a request for entry of default. Failure to timely file the  
15 request for the entry of default may result in an Order to Show Cause  
16 being issued as to why sanctions shall not be imposed.  
17

18 **(h) [Default judgment]** When a default is entered, the party who requested  
19 the entry of default must obtain a default judgment against the  
20 defaulting party within 45 days after entry of default, unless the court  
21 has granted an extension of time. Failure to obtain entry of judgment  
22 against a defaulting party or to request an extension of time to apply for  
23 a default judgment may result in an Order to Show Cause being issued  
24 as to why sanctions shall not be imposed.  
25

26 **(i) [Order to Show Cause]** When the court issues an Order to Show  
27 Cause under this rule, responsive papers to the Order to Show Cause  
28 must be filed and served no less than five calendar days before the  
29 hearing.  
30  
31

32 **Rule 1590.1 201.9. Information about ADR Alternative Dispute Resolution**  
33

34 **(a)** Each court ~~shall~~ must make available to the plaintiff, at the time of  
35 filing of the complaint, an Alternative Dispute Resolution (ADR)  
36 information package that includes, at a minimum, all of the following:  
37

38 (1) General information about the potential advantages and  
39 disadvantages of ADR and descriptions of the principal ADR  
40 processes. The Administrative Office of the Courts ~~shall~~ has  
41 prepared model language that the courts may use to provide this  
42 information.  
43

- 1 (2) Information about the ADR programs available in that court,  
2 including citations to any applicable local court rules and  
3 directions for contacting any court staff responsible for providing  
4 parties with assistance regarding ADR.  
5  
6 (3) In counties that are participating in the Dispute Resolution  
7 Programs Act (DRPA), information about the availability of local  
8 dispute resolution programs funded under the DRPA. This  
9 information may take the form of a list of the applicable programs  
10 or directions for contacting the county's DRPA coordinator.  
11  
12 (4) An ADR stipulation form that parties may use to stipulate to the  
13 use of an ADR process.  
14  
15 (b) The plaintiff ~~shall~~ must serve a copy of the ADR information package  
16 on each defendant along with the complaint. Cross-complainants ~~shall~~  
17 must serve a copy of the ADR information package on any new parties  
18 to the action along with the cross-complaint.  
19

## 20 **CHAPTER 2. Civil Trial Court Management Rules**

### 21 22 **DIVISION VII. PART 1. Differential Case Management Rules**

#### 23 24 **Rule ~~2101~~ 204. Authority**

25  
26 The rules in this ~~division~~ chapter implement section 68603(c) of the  
27 Government Code under the Trial Court Delay Reduction Act of 1990.  
28  
29

#### 30 **Rule ~~2102~~ 205. Local court rules**

31  
32 Each court ~~shall~~ must adopt local rules on differential case management as  
33 provided in this ~~division~~ chapter consistent with rules 212 ~~and 512~~ of the  
34 California Rules of Court and the statement of general principles set forth in  
35 section 2 of the Standards of Judicial Administration.  
36  
37  
38  
39  
40  
41



1 **Rule ~~2103~~ 206. Dates for Application; cases included in delay reduction**  
2 **program; exceptions**

3  
4 (a) [~~New and existing cases~~ Application] The rules in this division  
5 chapter apply to ~~general civil cases filed in a delay reduction program~~  
6 ~~after June 30, 1991, and all general civil cases filed in the trial courts,~~  
7 ~~after June 30, 1992. The court may order any other general civil case be~~  
8 ~~included in the differential case management program upon notice to the~~  
9 ~~parties.~~

10  
11 (b) [**General civil case**] As used in this ~~division~~ chapter, “general civil  
12 case” means all civil cases except probate, guardianship,  
13 conservatorship, family law (including proceedings under the Family  
14 Law Act, Uniform Parentage Act, and Uniform Child Custody  
15 Jurisdiction Act; freedom from parental custody and control  
16 proceedings; and adoption proceedings), juvenile court proceedings,  
17 small claims ~~appeals~~ cases, unlawful detainer proceedings, and “other  
18 civil petitions” as defined in the ~~Regulations on Superior Court Reports~~  
19 ~~to the Judicial Council including petitions for a writ of mandate or~~  
20 ~~prohibition, temporary restraining order, harassment restraining order,~~  
21 ~~domestic violence restraining order, writ of possession, appointment of~~  
22 ~~a receiver, release of property from lien, and change of name~~ by the  
23 Judicial Branch Statistical Information Data Collection Standards.

24  
25 (c) [**Uninsured motorist**] To allow for arbitration of the plaintiff’s claim,  
26 the rules in this ~~division~~ chapter ~~shall do not~~ apply to a case designated  
27 by the court as “uninsured motorist” until 180 days after the  
28 designation.

29  
30 (d) [**Coordination**] The rules in this ~~division~~ chapter ~~shall do not~~ apply to  
31 any case included in a petition for coordination. If the petition is  
32 granted, the coordination trial judge may establish a case progression  
33 plan for the cases, which may be within one of the three  
34 case/management plans or after appropriate findings, within the  
35 exceptional case category.

36  
37  
38 **Rule ~~2104~~ 207. Delay reduction goals**

39  
40 (a) [**Case management goals**] The rules in this ~~division~~ chapter are  
41 adopted to advance the goals of section 68607 of the Government Code  
42 and section 2 of the Standards of Judicial Administration recommended

1 by the Judicial Council within the time limits specified in section 68616  
2 of the Government Code.

- 3
- 4 (b) **[Case/disposition time goals]** The goal of the court ~~shall be~~ is to  
5 manage general civil cases from filing to disposition as provided under  
6 sections 2.1 and 2.3 of the Standards of Judicial Administration.
- 7
- 8 (c) **[Judges' responsibility]** It ~~shall be~~ is the responsibility of judges to  
9 achieve a just and effective resolution of each general civil case through  
10 active management and supervision of the pace of litigation from the  
11 date of filing to disposition.
- 12
- 13

14 **Rule ~~2105~~ 208. Differentiation of cases to achieve goals**

15

- 16 (a) **[Evaluation and assignment]** The court ~~shall~~ must evaluate each case  
17 as provided in rule ~~2106~~ 209 under procedures adopted by local court  
18 rules. After evaluation, the court ~~shall~~ must:
- 19
- 20 (1) assign each case to one of the three case/management plans listed  
21 in subdivision (b), or
- 22
- 23 (2) exempt the case under ~~subdivision (d)~~ from the case/disposition  
24 time goals specified in rule ~~2104(b)~~ 207(b), or
- 25
- 26 (3) assign the case under ~~subdivision (e)~~ to the local case/management  
27 plan.
- 28
- 29 (b) **[Case/management plans]** Disposition under the following  
30 case/management plans ~~shall be~~ is, from the date of filing:
- 31
- 32 (1) Plan 1, ~~disposition within~~; 12 months;
- 33
- 34 (2) Plan 2, ~~disposition within~~; 18 months;
- 35
- 36 (3) Plan 3, ~~disposition within~~; 24 months.
- 37
- 38 (c) **[Case/management Plan 1]** The court may by local rule presume that a  
39 case is subject to the disposition goal under case/management Plan 1  
40 when the case is filed or as otherwise provided by the court. The court  
41 may modify the assigned case/management plan at any time for good  
42 cause shown.
- 43

1 (d) **[Exceptional cases]** The court may in the interest of justice exempt a  
2 general civil case from the case/disposition time goals if it finds the case  
3 involves exceptional circumstances that will prevent the court and the  
4 parties from meeting the goals and deadlines imposed by the program.  
5 In making the determination, the court ~~shall be~~ is guided by rules ~~2106~~  
6 209 and 1800.

7  
8 If the court exempts the case from the case/disposition time goals, the  
9 court ~~shall~~ must establish a case/progression plan and monitor the case  
10 to ensure timely disposition consistent with the exceptional  
11 circumstances, with a the goal for of dispositioning of the case within  
12 three years.

13  
14 (e) **[Local case/management plan]** The court may by local rule adopt a  
15 case/management plan that establishes a goal for disposing of  
16 appropriate cases within six to nine months after filing. The plan ~~shall~~  
17 must establish a procedure to identify the cases to be assigned to the  
18 plan. The plan ~~shall~~ must be used only for uncomplicated cases ~~most~~  
19 amenable to early disposition that ~~may do~~ not need a case management  
20 conference ~~or first status conference~~ or review or similar event to guide  
21 the case to early resolution.

22  
23  
24 **Rule ~~2106~~ 209. Case evaluation factors**

25  
26 In applying rule ~~2105~~ 208, the court ~~shall~~ must estimate the maximum time  
27 that will reasonably be required to dispose of each case in a just and effective  
28 manner. The court ~~shall~~ must consider the following factors and any other  
29 information the court deems relevant, understanding that no one factor or set  
30 of factors ~~shall~~ will be controlling and that cases may have unique  
31 characteristics incapable of precise definition:

- 32  
33 (1) Type and subject matter of the action;  
34  
35 (2) Number of causes of action or affirmative defenses alleged;  
36  
37 (3) Number of parties with separate interests;  
38  
39 (4) Number of cross-complaints and the subject matter;  
40  
41 (5) Complexity of issues, including issues of first impression;  
42  
43 (6) Difficulty in identifying, locating, and serving parties;

- (7) Nature and extent of discovery anticipated;
- (8) Number and location of percipient and expert witnesses;
- (9) Estimated length of trial;
- (10) Whether some or all issues can be arbitrated;
- (11) Statutory priority for the issues;
- (12) Likelihood of review by writ or appeal;
- (13) Amount in controversy and the type of remedy sought, including measures of damages;
- (14) Pendency of other actions or proceedings which may affect the case;
- (15) Nature and extent of law and motion proceedings anticipated;
- (16) Nature and extent of the injuries and damages;
- (17) Pendency of underinsured claims; and
- (18) Any other factor that would affect the time for disposition of the case.

## **PART 2. Caseflow Management**

### **~~Rule 209. Civil cases at issue~~**

~~(a) [At-issue memorandum] A civil case not subject to the Trial Court Delay Reduction Act may be placed on the civil active list or be set for trial when the court deems the case to be at issue or, if the court so requires, (i) when the parties have filed a joint at-issue memorandum, or (ii) when a party has served and filed an at-issue memorandum. The at-issue memorandum shall include the following:~~

- ~~(1) the title and number of the case;~~
- ~~(2) the nature of the case;~~

- 1 (3) ~~a statement that all essential parties have been served with process~~  
2 ~~or have appeared and that the case is at issue as to those parties;~~  
3  
4 (4) ~~whether the case is entitled to legal preference, and, if so, a citation~~  
5 ~~to the section of the code or statute granting the preference;~~  
6  
7 (5) ~~whether a jury trial is demanded;~~  
8  
9 (6) ~~the time estimated for trial; and~~  
10  
11 (7) ~~the names, addresses, and telephone numbers of the attorneys for~~  
12 ~~the parties or of parties appearing without counsel.~~  
13

14 ~~For purposes of this rule and rule 210, a case may be considered at issue~~  
15 ~~notwithstanding any cross-complaint that is not at issue.~~  
16

17 ~~This rule shall not affect the authority of the court to order a severance~~  
18 ~~of a cross-complaint pursuant to Code of Civil Procedure section 1048.~~  
19

- 20 (b) **[Cross-complaints]** ~~Any case, whether or not subject to the Trial Court~~  
21 ~~Delay Reduction Act, may be considered at issue notwithstanding any~~  
22 ~~cross-complaint that is not at issue.~~  
23

24 ~~This rule shall not affect the authority of the court to order a severance~~  
25 ~~of a cross-complaint pursuant to Code of Civil Procedure section 1048.~~  
26

- 27 (c) **[Judicial arbitration]** ~~In courts having judicial arbitration under Code~~  
28 ~~of Civil Procedure section 1141.11, the at-issue memorandum shall state~~  
29

- 30 (1) ~~whether the case is suitable for placement on the arbitration~~  
31 ~~hearing list, and a statement of reasons if a party claims that it is~~  
32 ~~not;~~  
33  
34 (2) ~~whether the plaintiff elects or the parties stipulate that the case be~~  
35 ~~placed on the arbitration hearing list; and~~  
36  
37 (3) ~~the type of injury and special damages in a personal injury case,~~  
38 ~~and the amount of damages and relief sought in any other case.~~  
39

- 40 (d) **[Countermemorandum]** ~~A party not in agreement with the information~~  
41 ~~or estimates given in an at-issue memorandum shall within 10 days after~~  
42 ~~service of the memorandum, or within 5 days after service in an~~

1           unlawful detainer proceeding, serve and file a counter memorandum on  
2           the party's behalf.

3  
4  
5   **Rule 210. Civil active list**

6  
7           ~~The court may maintain a record of all cases not subject to the Trial Court~~  
8           ~~Delay Reduction Act in which an at issue memorandum or order deeming the~~  
9           ~~case to be at issue has been filed. The record shall be known as the civil~~  
10          ~~active list and shall be arranged in the order in which the at issue memoranda~~  
11          ~~and at issue orders are filed.~~

12  
13  
14   **Rule 210. Case management and calendaring system**

15  
16          Each court must adopt a case management and calendaring system for civil  
17          cases that will advance the goals set forth in section 2 of the Standards of  
18          Judicial Administration.

19  
20  
21   **~~Rule 211. Arbitration status conference~~**

22  
23          ~~(a) [The conference] Unless otherwise provided by law, courts having~~  
24          ~~more than three judges and a judicial arbitration program under Code of~~  
25          ~~Civil Procedure section 1141.11 shall hold an arbitration status~~  
26          ~~conference in every case where suitability for judicial arbitration must~~  
27          ~~be determined unless the plaintiff elects or the parties stipulate that the~~  
28          ~~case be placed on the arbitration hearing list. The conference shall be~~  
29          ~~held within 30 to 90 days after the filing of the at issue memorandum~~  
30          ~~but no later than 90 days before trial, unless otherwise ordered by the~~  
31          ~~court for good cause.~~

32  
33          ~~(b) [Persons attending] The persons attending the conference shall have~~  
34          ~~sufficient knowledge of the case to inform the court of the suitability of~~  
35          ~~placing the case on the arbitration hearing list.~~

36  
37          ~~(c) [Action at conference] At the conference the court may~~

38  
39                  ~~(1) order a case which it determines is not ready to be set for trial to be~~  
40                  ~~removed from the civil active list;~~

41  
42                  ~~(2) order the case placed on the arbitration hearing list;~~  
43

- 1 (3) ~~conduct a trial setting conference as provided in rules 218, 219,~~  
2 ~~and 220 if the case can be set for trial within 90 to 120 days after~~  
3 ~~the arbitration status conference or at any earlier time as the parties~~  
4 ~~may agree or the court orders;~~  
5 (4) ~~assign a time and place for a trial setting conference if the case~~  
6 ~~cannot be set as provided in subdivision (c)(3) but can be given a~~  
7 ~~date certain for trial within 120 to 180 days after the arbitration~~  
8 ~~status conference;~~  
9  
10 (5) ~~assign a time and place for a pretrial conference if required by~~  
11 ~~local rules; or~~  
12  
13 (6) ~~set a status conference if the case cannot be set for trial, trial~~  
14 ~~setting conference, or pretrial conference as provided in this~~  
15 ~~subdivision; and~~  
16  
17 (7) ~~conduct settlement discussions whenever appropriate.~~  
18  
19

20 **Rule 212. Case management conference; ~~and meet-and-confer~~**  
21 **requirement; and case management order.**  
22

23 **(a) [Initial case management review]** In every general civil case except  
24 complex cases and cases exempted under rules 206(c)–(d), 208(d)–(e),  
25 and 214, the court must review the case no later than 180 days after the  
26 filing of the initial complaint.  
27

28 **(a)(b) [Case management conference permitted by local rule]**  
29

30 (1) [Case management conference] ~~Where permitted by local rule, In~~  
31 each case, the court must set a case management conference to  
32 review the case may be held if requested by all parties or ordered  
33 by the court, either on its own motion or on the noticed motion of a  
34 party. A request for a conference shall not be granted if to do so  
35 will in the opinion of the court unreasonably interfere with  
36 bringing the case to trial or will result in an unfair advantage to any  
37 party. Notice of the date of the case management conference must  
38 be given to all parties no later than 45 days before the conference,  
39 unless otherwise ordered by the court. The court may provide by  
40 local rule for the time and manner of giving notice to the parties.  
41 At the conference, counsel for each party and each self-represented  
42 party must be personally present, must be familiar with the case,  
43 and must be prepared to discuss and commit to the party's position

1                    on the issues listed in (e)–(f).

2  
3                    (2) [Cancellation of conference] If based on its review of the written  
4                    submissions of the parties and such other information as is  
5                    available, the court determines that personal appearances are not  
6                    necessary, the court may cancel the conference and issue a case  
7                    management order.

8  
9                    (c) **[Special order or request for a case management conference]** The  
10                    court on its own motion may order, or a party or parties may request by  
11                    noticed motion, that a case management conference be held at any time.

12  
13                    (d) **[Arbitration determination]** In courts having a judicial arbitration  
14                    program under Code of Civil Procedure section 1141.11, the court at  
15                    the time of the case management conference or review must determine  
16                    if the case is suitable for judicial arbitration. Unless otherwise  
17                    stipulated by the parties, the court must not schedule the judicial  
18                    arbitration to take place until at least 210 days after the filing of the  
19                    complaint, exclusive of the stipulated period provided for in  
20                    Government Code section 68616(d).

21  
22                    (e) **[Subjects to be considered at the case management conference]** In  
23                    any case management conference or review under this rule, the parties  
24                    must address, if applicable, and the court may take appropriate action  
25                    with respect to, the following:

26  
27                    (1) Whether there are any related cases;

28  
29                    (2) Whether all parties named in the complaint or cross-complaint  
30                    have been served, have appeared, or have been dismissed;

31  
32                    (3) Whether any additional parties may be added or the pleadings may  
33                    be amended;

34  
35                    (4) Whether it is reasonably probable that the amount in controversy  
36                    will not exceed \$25,000 and the case will proceed as economic  
37                    litigation under Code of Civil Procedure section 90 et seq.;

38  
39                    (5) Whether there are any other matters (e.g., the bankruptcy of a  
40                    party) that may affect the court’s jurisdiction or processing of the  
41                    case;



- 1 (6) Whether the parties have stipulated to, or the case should be  
2 referred to, judicial arbitration or any other form of Alternative  
3 Dispute Resolution (ADR) and, if so, the date by which the ADR  
4 must be completed;  
5  
6 (7) Whether discovery has been completed and, if not, the date by  
7 which it will be completed;  
8  
9 (8) What discovery issues are anticipated;  
10  
11 (9) Whether the case should be bifurcated;  
12  
13 (10) Whether there are any cross-complaints that are not ready to be set  
14 for trial, and, if so, whether they should be severed;  
15  
16 (11) Whether the case is entitled to any statutory preference and, if so,  
17 the statute granting the preference;  
18  
19 (12) Whether a jury trial is demanded, and, if so, the identity of each  
20 party requesting a jury trial;  
21  
22 (13) If the trial date has not been previously set, the date by which the  
23 case will be ready for trial and the available trial dates;  
24  
25 (14) The estimated length of trial;  
26  
27 (15) The nature of the injuries;  
28  
29 (16) The amount of damages, including any special or punitive  
30 damages;  
31  
32 (17) Any additional relief sought;  
33  
34 (18) Whether a settlement conference should be scheduled within 30 to  
35 90 days after the case management conference date, and, if so, on  
36 what date;  
37  
38 (19) Whether there are any insurance coverage issues that may affect  
39 the resolution of the case; and  
40  
41 (20) Any other matters that should be considered by the court or  
42 addressed in its case management order.  
43

1 **(b)(f) [Meet-and-confer requirement]** Unless the court orders another time  
2 period, no later than 30 calendar days before the first scheduled case  
3 management conference unless otherwise ordered in a complex case,  
4 the parties shall must meet and confer, in person or by telephone, and  
5 shall discuss the following, as applicable to the case: to consider each of  
6 the issues identified in (e) and, in addition, to consider the following:

7  
8 (1) ~~Service of all anticipated parties;~~

9  
10 (2) ~~Related cases;~~

11  
12 (3) ~~Facts that are presently available to support the pleadings filed by~~  
13 ~~each party;~~

14  
15 (1) Resolving any discovery disputes and setting a discovery schedule;

16  
17 (2) Identifying and, if possible, informally resolving any anticipated  
18 motions;

19  
20 (3) Identifying the facts and issues in the case that are uncontested and  
21 may be stipulated to;

22  
23 (4) Identifying the facts and issues in the case that are in dispute;

24  
25 (5) Determining whether the issues in the case can be narrowed by  
26 eliminating any claims or defenses by means of a motion or  
27 otherwise;

28  
29 (4) ~~Injuries;~~

30  
31 (5) ~~Damages;~~

32  
33 (6) ~~Whether the amount in controversy will exceed \$25,000, or~~  
34 ~~whether the case should proceed as economic litigation under Code~~  
35 ~~of Civil Procedure section 90 et seq.;~~

36  
37 (7) ~~Alternative dispute resolution, including mediation, arbitration,~~  
38 ~~and neutral case evaluation, as available;~~

39  
40 (8) ~~Anticipated law and motion;~~

41  
42 (9) ~~Preliminary schedules of discovery;~~

(10)(6) Possible settlement; and

(11)(7) Other relevant matters.

**(e)(g) [Case management sStatement]**

(1) [Timing of statement] No later than ~~5~~ 15 calendar days before the first scheduled case management conference date, each party ~~shall~~ must: (i) file a case management ~~conference~~ statement with the clerk of the court;; (ii) lodge a copy directly in the department of the assigned judge, if any;; and (iii) serve the case management ~~conference~~ statement on all other parties in the case.

(2) [Content of statement] The case management ~~conference~~ statement ~~shall state that the parties have met and conferred as required by subdivision (b) of this rule, and shall~~ must describe the nature of the case and discuss the areas of agreement and disagreement between the parties on each of the required subjects listed in (e). The statement shall also indicate whether there is any alternative dispute resolution process in which the party would be willing to participate on a voluntary basis. The statement must state that the parties have met and conferred as required by (f). In lieu of each party filing a separate case management statement, any two or more parties may file a joint statement under this rule.

**(h) [Stipulation to Alternative Dispute Resolution]** If all parties agree to use an Alternative Dispute Resolution (ADR) process, they must jointly complete the ADR stipulation form provided for under rule 201.9 and file it with the court.

**(d)(i) [Conference Case management order]** The case management conference shall be conducted in the manner provided by local rule. The conference judge may ~~The court must~~ prepare and sign enter a conference case management order in each case. The order will set a schedule for subsequent proceedings and otherwise provide for the management of the case. The order should include such provisions as may be appropriate, including: stating, but not limited to the following:

~~(1) the case is ready to be assigned a definite trial date;~~

(1) Referral of the case to judicial arbitration or some other form of Alternative Dispute Resolution;

- 1           (2) A date for completion of the arbitration process or other form of  
2           Alternative Dispute Resolution process if the case has been  
3           referred to such a process;  
4  
5           (3) In the event that a trial date has not previously been set, a date  
6           certain for trial if the case is ready to be set for trial;  
7  
8           (4) Whether the trial will be a jury trial or a bench trial;  
9  
10          (2)(5) The identity of any each party demanding a jury trial;  
11  
12          (6) The estimated length of trial;  
13  
14          (3)(7) Whether all parties necessary to the disposition of the case have  
15               been served or have appeared;  
16  
17          (4)(8) The dismissal or severance of the unserved or not appearing  
18               fictitious or named defendants ~~to be dismissed or severed~~ from the  
19               action;  
20  
21          (5)(9) The names and addresses of the counsel who will try the case;  
22  
23          (6)(10) The date and place for a mandatory settlement conference as  
24               provided in rule 222;  
25  
26          (7) ~~a date certain for trial within the period provided in rule 218 and~~  
27               ~~the time estimated for trial.~~  
28  
29          (11) The date and place for the final case management conference  
30               before trial if such a conference is required by the court or the  
31               judge assigned to the case;  
32  
33          (12) The date and place of any further case management conferences or  
34               review;  
35  
36          (13) Any additional orders that may be appropriate relating to the  
37               matters listed in (e) and (f); and  
38  
39          (14) Any other case management orders appropriate under the  
40               circumstances of the case.  
41

- 42       (i) **[Case management order controls]** The order issued after the case  
43           management conference or review controls the subsequent course of the

1            action or proceeding unless it is modified by a subsequent order. The  
2            schedule of dates provided in the order may not be modified except on  
3            the noticed motion of a party upon a showing of good cause, or on the  
4            court's own motion.  
5  
6

7            **Rule 213. Assignment to one judge for all or limited purposes**  
8

9            The presiding judge may, on the noticed motion of a party or on the court's  
10           motion, order the assignment of any case to one judge for all or such limited  
11           purposes as will promote the efficient administration of justice. In  
12           determining the suitability of assignment, the presiding judge ~~shall be~~ is  
13           guided by the standards recommended in section 19 of the Standards of  
14           Judicial Administration.  
15  
16

17           **Rule 214. Management of short cause cases**  
18

- 19           **(a) [Short cause cases]** A short cause case is a civil case in which the time  
20           estimated for trial by all parties is five hours or less. All other civil  
21           cases are long cause cases.  
22  
23           **(b) [Exemptions for short cause cases]** The court may, on the noticed  
24           motion of a party or on the court's motion, order a short cause case  
25           exempted from the requirements of case management review.  
26  
27           **(c) [Mistrial]** If a short cause case is not completely tried within five hours  
28           of trial time, including time necessary to read transcripts, depositions,  
29           and other documentary evidence, the judge may declare a mistrial or, in  
30           the judge's discretion, may complete the trial. In the event of a mistrial,  
31           the case will be treated as a long cause case and must promptly be set  
32           for a case management conference or review.  
33  
34

35           **~~Rule 215. Date certain for trial~~**  
36

37           ~~Every case shall proceed to trial on the date set or, if necessary, within the~~  
38           ~~next four court days. A case that cannot proceed to trial in the time provided~~  
39           ~~in this rule because of the unavailability of a trial department shall be reset~~  
40           ~~for a date certain and be entitled to priority over other cases set for trial on~~  
41           ~~the same day, except cases entitled to priority by law.~~  
42  
43

1 **PART 3. CALENDAR MANAGEMENT**

2  
3 **Rule 216. Setting short causes for trial**

4  
5 If a case is a short cause in which the time estimated for trial by all parties is  
6 five hours or less and the case is not subject to the Trial Court Delay  
7 Reduction Act, the clerk under the supervision of the presiding judge shall  
8 assign a time and place for trial as soon as feasible after filing of an at issue  
9 memorandum or order deeming the case to be at issue. All other cases are  
10 long causes. Short causes may be exempt from any requirement of a case  
11 management, settlement, or trial setting conference. If any case is not  
12 completely tried within five hours of trial time, including time necessary for  
13 reading transcripts, depositions, and other documentary evidence, the judge  
14 may declare a mistrial or, in the judge's discretion, may complete the trial. In  
15 the event of a mistrial, a new at issue memorandum or order under rule 209  
16 shall be served and filed estimating the time for trial at more than one day,  
17 and thereafter the case shall be placed on the civil active list in the order in  
18 which the new memorandum or order is filed.

19  
20  
21 **Rule 217. Setting for trial**

22  
23 (a) ~~[Trial setting conference]~~ A court may assign a time and place for a  
24 trial setting conference of all long cause matters not subject to the Trial  
25 Court Delay Reduction Act on the civil active list in which a case  
26 management conference is not held and for which a date certain for trial  
27 may be assigned that is not less than 30 days after the conference. This  
28 setting for a trial setting conference shall: (i) be by or under the  
29 supervision of the presiding judge; (ii) be in the sequence as nearly as  
30 possible in which the cases appear on the civil active list; (iii) give  
31 priority to cases entitled to it under the law; and (iv) insofar as feasible  
32 assign the same date for trial setting conferences to those cases in which  
33 the same attorney appears.

34  
35 (b) ~~[Notice]~~ The clerk shall give notice by mail of the time and place of the  
36 trial setting conference in each case not subject to the Trial Court Delay  
37 Reduction Act to all parties who have appeared.

38  
39  
40 **Rule 218. Setting for trial at a trial setting conference**

41  
42 Except as otherwise provided in rule 211(c)(3), every case not subject to the  
43 Trial Court Delay Reduction Act in which a trial setting conference is held

1 shall be set for trial for a place and time not less than 30 days after the  
2 conference, giving priority to cases entitled to it under the law. The court  
3 may shorten the time to prevent a dismissal under chapter 1.5 (§ 583.110 et  
4 seq.) of title 8 of part 2 of the Code of Civil Procedure or for other good  
5 cause shown on noticed motion. The setting for trial shall be by the presiding  
6 judge or the presiding judge's designee.  
7  
8

9 **Rule 219. Duties of attorneys in respect to trial setting conferences**

10  
11 (a) **[Persons attending]** Each party who has appeared in the case shall  
12 attend the trial setting conference in person or by counsel. The persons  
13 attending shall have sufficient knowledge to represent to the court  
14 whether the case is ready for setting and to furnish sufficient  
15 information to permit the court to determine if the case is ready to be  
16 assigned a date certain for trial.  
17

18 (b) **[Discovery]** Each party at the trial setting conference shall be prepared  
19 to inform the court as to what discovery has been completed, what  
20 further discovery may be required, and when discovery can be  
21 completed.  
22  
23

24 **Rule 220. Conduct of trial setting conferences**

25  
26 (a) **[Determinations]** At the trial setting conference the court shall  
27 determine whether the case is ready to be set for trial and, if ready, shall  
28 set a time and place for trial and a settlement conference.  
29

30 (b) **[Matters not to be required or determined]** The court shall not (1)  
31 require any written preconference statement; (2) redetermine or restate  
32 the issues made by the pleadings; (3) dismiss fictitious defendants or  
33 condition the setting of a trial date upon the dismissal of such fictitious  
34 defendants without the consent of all parties; or (4) require the parties to  
35 disclose evidence or exhibits.  
36

37 (c) **[Contents of trial setting conference order]** The court shall prepare a  
38 trial setting conference order in each case set for trial stating  
39  
40 (1) the identity of any party demanding a jury trial;  
41  
42 (2) all parties necessary to the disposition of the case have been served  
43 or have appeared;

- 1           (3) ~~the unserved or not appearing fictitious or named defendants to be~~  
2           ~~dismissed or severed from the action;~~  
3  
4           (4) ~~the name of counsel who will actually try the case;~~  
5  
6           (5) ~~the time and date of a settlement conference pursuant to rule 222;~~  
7           ~~and~~  
8  
9           (6) ~~a date certain for trial and the time estimated for trial.~~

10  
11  
12 **Rule 221. Setting for trial in courts having nine or fewer judges**

13  
14       Any court with nine or fewer judges shall use the setting procedures provided  
15       in rules 217 through 220 unless it provides by local rule that cases shall be  
16       set for trial without a trial setting conference. In that event, the court shall at  
17       least once a month set for trial as many long cause cases on the civil active  
18       list in which no pretrial conference is held as may reasonably be tried during  
19       the period involved. The setting for trial shall be by or under the supervision  
20       of the presiding judge and shall be in the sequence as nearly as possible in  
21       which the cases appear on the civil active list, giving priority to those cases  
22       entitled to it under the law. The clerk shall give at least 90 days' notice by  
23       mail of the time and place of trial to all parties appearing in any case unless  
24       the parties stipulate to an earlier trial date or the court orders the time  
25       shortened to prevent a dismissal under chapter 1.5 (§ 583.110 et seq.) of title  
26       8 of part 2 of the Code of Civil Procedure or for other good cause shown on  
27       noticed motion.  
28

29                               **CHAPTER 3. Settlement and Pretrial Rules**

30  
31 **Rule 222. Mandatory settlement conferences**

- 32  
33       (a) **[Settlement conference before trial]** A mandatory settlement  
34       conference may be held in all long cause matters before the date set for  
35       trial. On the court's own motion or at the request of any party, the court  
36       may set a mandatory settlement conference.  
37  
38       (b) **[Other or additional conferences]** On the joint request of all parties or  
39       by order of court, other or additional conferences may be held at any  
40       time.  
41



1        ~~(e)~~**(b) [Persons attending]** Trial counsel, parties, and persons with full  
2        authority to settle the case ~~shall~~ must personally attend the conference,  
3        unless excused by the court for good cause. If any consent to settle is  
4        required for any reason, the party with that consensual authority must be  
5        personally present at the conference.

6  
7        ~~(d)~~**(c) [Settlement conference statement]** No later than five court days  
8        before the date set for the settlement conference, each party ~~shall~~ must  
9        submit to the court and serve on each party a mandatory settlement  
10       conference statement containing a good faith settlement demand and an  
11       itemization of economic and non-economic damages by each plaintiff  
12       and a good faith offer of settlement by each defendant. The statement  
13       ~~shall~~ must set forth and discuss in detail all facts and law pertinent to  
14       the issues of liability and damages involved in the case as to that party  
15       and comply with any additional requirement imposed by local rule.

16  
17  
18        **~~Rule 223. Removing and restoring civil active cases~~**

19  
20        ~~A case not subject to the Trial Court Delay Reduction Act shall not be~~  
21        ~~removed from the civil active list except by order of court on the court's~~  
22        ~~motion or on a party's noticed motion. A case may be restored to the civil~~  
23        ~~active list only by filing a new at-issue memorandum or by order of court.~~

24  
25  
26        **~~Rule 224. Civil calendar~~**

27  
28        ~~Each court shall adopt for civil cases a calendaring system that it determines~~  
29        ~~will advance the goals of caseload management and delay reduction, as set~~  
30        ~~forth in section 2 of the Standards of Judicial Administration.~~

31  
32  
33        **Rule 225. Duty to notify court and others of settlement or stay**

34  
35        (a) **[Notice of settlement]** If a case is settled or otherwise disposed of,  
36        plaintiff ~~shall~~ must immediately give written notice of the settlement or  
37        other disposition to the court, and any arbitrator, and any other court-  
38        connected ADR neutral involved in the case ~~written notice~~. The plaintiff  
39        ~~shall~~ must also immediately give oral notice to all of the above if a  
40        hearing, conference, or trial is imminent.

41  
42        (b) **[Unconditional dismissal]** Except as provided in (c), the plaintiff ~~shall~~  
43        must file a request for dismissal within 45 days after the date of

1 settlement. If the plaintiff does not file the request for dismissal, the  
2 court ~~shall~~ must dismiss the case 45 days after it receives notice of  
3 settlement unless good cause is shown why the case should not be  
4 dismissed.

5  
6 (c) **[Conditional dismissal]** If the settlement agreement conditions  
7 dismissal on the satisfactory completion of specified terms that are not  
8 to be performed within 45 days of the settlement, the notice of  
9 settlement ~~shall~~ must specify the date by which the dismissal is to be  
10 filed. If the plaintiff does not file a request for dismissal within 45 days  
11 after the dismissal date specified in the notice, the court ~~shall~~ must  
12 dismiss the case unless good cause is shown why the case should not be  
13 dismissed.

14  
15 (d) **[Filing notice of stay]** This subdivision applies to cases stayed for the  
16 following reasons:

- 17  
18 (1) Order of a federal court or a higher state court;  
19  
20 (2) Contractual arbitration under section 1281.4 of the Code of Civil  
21 Procedure;  
22  
23 (3) Arbitration of attorney fees and costs under section 6201 of the  
24 Business and Professions Code; or  
25  
26 (4) Automatic stay caused by a filing in another court.

27  
28 The party ~~that~~ who requested or caused the stay ~~shall~~ must immediately file a  
29 notice of the stay and attach a copy of the order or other document staying  
30 the proceedings. If the person who requested or caused the stay has not  
31 appeared, the plaintiff ~~shall~~ must immediately file a notice of the stay and  
32 attach a copy of the order or other document staying the proceedings.

33  
34 When a stay is vacated or is no longer in effect, the party who filed the notice  
35 of the stay ~~shall~~ must immediately file a notice that the stay is vacated or is  
36 no longer in effect.

37  
38  
39 **Rule 226. Assigned cases to be tried or dismissed—notification to presiding**  
40 **judge**

41  
42 (a) **[Assignment of cases for trial]** In a county employing the master  
43 calendar, each case transferred to a trial department ~~shall~~ must be tried,

1 ordered off the calendar, or dismissed, unless, for good cause arising  
2 after the commencement of the trial, the judge of the trial department  
3 continues the case for further hearing or, with the consent of the judge  
4 supervising the master calendar, reassigns the case to the judge  
5 supervising the master calendar for further disposition.  
6

7 **(b) [Notification to presiding judge]** A judge who has finished or  
8 continued the trial of a case or any special matter ~~shall~~ must  
9 immediately notify the judge supervising the master calendar. The judge  
10 to whose department a cause is assigned for trial or for hearing ~~shall~~  
11 must accept the assignment unless disqualified or, for other good cause  
12 stated to the judge supervising the master calendar, the judge  
13 supervising the master calendar determines that in the interest of justice  
14 the cause should not be tried or heard before the judge. When the judge  
15 has refused a cause and is not disqualified, the judge ~~shall~~ must state the  
16 reasons in writing unless the judge supervising the master calendar has  
17 concurred.  
18

19 **PART 4. Sanctions** **CHAPTER 4. Sanctions**

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Dept.: \_\_\_\_\_ Div.: \_\_\_\_\_ Room: \_\_\_\_\_

Address of court (if different from the address above): \_\_\_\_\_

- (Continued on reverse)

PLAINTIFF/PETITIONER:	CASE NUMBER:
DEFENDANT/RESPONDENT:	

5. **Service** (*plaintiffs and cross-complainants only*)

- a. ☐ All parties named in the complaint and cross-complaint have been served, or have appeared, or have been dismissed.
- b. ☐ The following parties named in the complaint or cross-complaint
- (1) ☐ have not been served (*specify names*):
- (2) ☐ have been served but have not appeared and have not been dismissed (*specify names*):
- (3) ☐ have been defaulted (*specify names*):
- c. ☐ Additional parties may be added (*specify name of parties, nature of involvement in case and date by which they may be served*):

6. **Jurisdiction**

Indicate any matters that may affect the court's jurisdiction or processing of this case, and describe the status.

☐ Bankruptcy ☐ Other (*specify*):

Status:

7. **Limited or unlimited civil case**

☐ It is reasonably probable that the amount in controversy will not exceed \$25,000 and that the case will proceed pursuant to economic litigation under Code of Civil Procedure section 90 et. seq.

8. **Alternative Dispute Resolution (ADR)**

a. The submitting party or parties are willing to participate in (*check all that apply*):

- (1) ☐ Mediation
- (2) ☐ Non-binding judicial arbitration under Code of Civil Procedure section 1141.12 (discovery to close 15 days before arbitration under Cal. Rules of Court, rule 1612)
- (3) ☐ Non-binding judicial arbitration under Code of Civil Procedure section 1141.12 (discovery to remain open until 30 days before trial; order required under Cal. Rules of Court, rule 1612)
- (4) ☐ Binding judicial arbitration
- (5) ☐ Binding private arbitration
- (6) ☐ Use of a discovery referee
- (7) ☐ Neutral case evaluation
- (8) ☐ Other (*specify*):

b. ☐ This matter is subject to mandatory judicial arbitration because the amount in controversy does not exceed the statutory limit.

c. ☐ Plaintiff elects to refer this case to judicial arbitration and agrees to limit recovery to the amount specified in Code of Civil Procedure section 1141.11.

d. ☐ This case is exempt from arbitration under California Rules of Court, rule 1600.5 (*specify exemption*):

e. ☐ Counsel ☐ has ☐ has not provided ADR information to his or her client and has reviewed ADR options with the client. If not, why not? (*Specify*):

f. ☐ If all parties have agreed to a form of ADR, date by which ADR will be completed:

g. ☐ If case has gone to an ADR process, provide status:

(Continued on page three)

PLAINTIFF/PETITIONER: _____	CASE NUMBER:
DEFENDANT/RESPONDENT:	

9. **Related cases**

- a. ☐ There are companion, underlying, or related cases.  
       (1) Name of case:  
       (2) Name of court:  
       (3) Case number:  
       (4) Status:  
       ☐ Additional cases described in Attachment 9a.
- b. ☐ Party (*name*): \_\_\_\_\_ intends to file a motion to  
       (1) ☐ consolidate  
       (2) ☐ coordinate

10. **Discovery**

- a. ☐ The party or parties have completed all discovery.
- b. ☐ Party (*name*): \_\_\_\_\_ ☐ Parties (*names*): \_\_\_\_\_  
       have not completed the following discovery, which is anticipated to be completed by the date specified:  
       Party \_\_\_\_\_ Description \_\_\_\_\_ Date \_\_\_\_\_
- c. ☐ The following discovery issues are anticipated (*specify*):

11. **Bifurcation**

- ☐ Party (*name*): \_\_\_\_\_ intends to file a motion for an order bifurcating, severing, or  
       coordinating the following issues or causes of action (*specify and give reasons*):

12. **Motions**

- ☐ The party or parties expect to file the following pretrial motions (*specify movant, type of motion, and issues*):

13. **Jury Demand**

- ☐ The party or parties demand a jury trial (*if more than one party, list the names of all parties demanding a jury trial*):

14. **Preference**

- ☐ The party or parties intend to file a motion for preference (*specify movant and code section*):

(Continued on reverse)

PLAINTIFF/PETITIONER:	CASE NUMBER:
DEFENDANT/RESPONDENT:	

15. **Equitable relief**

☐ The party or parties seek the following equitable relief (*specify the party seeking relief, type of relief, and the code section under which relief may be sought*):

16. **Length of trial**

The party or parties estimate the trial will take

a. ☐ days (*specify*):

b. ☐ (*short causes*) hours (*specify*):

17. **Trial date**

a. This case will be ready for trial by (*month, year*):

b. Available dates for trial (*specify*):

18. **Case Management Plan.**

The party or parties contend that under California Rules of Court, rules 208 and 209, this case should be classified under the following Differential Case Management Plan:

a. ☐ Plan 1: disposition within 12 months (*local rule may presume Plan 1 when case is filed*).

b. ☐ Plan 2: disposition within 18 months.

c. ☐ Plan 3: disposition within 24 months.

d. ☐ Local Case Management Plan: disposition within 6–9 months (*court must have local rule authorizing this plan*), or

e. ☐ Exceptional case: disposition within 36 months

for the following reasons (*specify if Plan 1 is not checked*):

19. **Settlement conference**

☐ The party or parties are willing to participate in a settlement conference within (1) ☐ 30 (2) ☐ 60  
(3) ☐ 90 days.

20. **Other issues**

☐ The party or parties request the following additional matters to be determined at the case management conference (*specify*):

PLAINTIFF/PETITIONER:	CASE NUMBER:
DEFENDANT/RESPONDENT:	

21. **Meet and confer**
- a. The party or parties ☐ have ☐ have not met and conferred with all parties in this matter, on all subjects required by California Rules of Court, rule 212.
- b. If not, explain:
- c. After meeting and conferring as required by California Rules of Court, rule 212, the parties
- (1) ☐ agree on the following (*specify*):
- (2) ☐ disagree on the following (*specify*):

22. Number of pages attached: \_\_\_\_\_

I am completely familiar with this case and will be fully prepared to discuss the status of discovery and ADR, as well as other issues raised by this statement, and will possess the authority to enter into stipulations on these issues at the time of the case management conference.

Date:

.....  
(TYPE OR PRINT NAME)

.....  
(TYPE OR PRINT NAME)

.....  
(SIGNATURE OF PARTY OR ATTORNEY)

.....  
(SIGNATURE OF PARTY OR ATTORNEY)

☐ Additional signatures are attached



ATTORNEY OR PARTY WITHOUT ATTORNEY ( <i>Name and Address</i> ):    ATTORNEY FOR ( <i>Name</i> ): <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <b>COURT OF CALIFORNIA, COUNTY OF</b>             STREET ADDRESS:            MAILING ADDRESS:            CITY AND ZIP CODE:            BRANCH NAME:         </div>	TELEPHONE NO.:	<b>FOR COURT USE ONLY</b>
<div style="border: 1px solid black; padding: 5px; margin-top: 5px;">           PLAINTIFF:             DEFENDANT:         </div>		
<b>NOTICE OF CASE MANAGEMENT CONFERENCE</b>		CASE NUMBER:

1. NOTICE is given that a **Case Management Conference** has been scheduled as follows:

Date:	Time:	Dept.:	Room:
Address of court <input style="width: 50px;" type="text"/> shown above <input style="width: 50px;" type="text"/> is:			

2. ☐ You must file and serve a completed *Case Management Conference Questionnaire* at least **five days** before the case management conference.

3. You must be familiar with the case and be fully prepared to participate effectively in the case management conference.

4. At the case management conference the court may make pretrial orders, including the following:

- a. An order establishing a discovery schedule.
- b. An order referring the case to arbitration.
- c. An order transferring the case to the municipal or justice court.
- d. An order dismissing fictitious defendants.
- e. An order scheduling exchange of expert witness information.
- f. An order setting subsequent conferences and the trial date.
- g. Other orders to achieve the goals of the Trial Court Delay Reduction Act (Gov. Code, § 68600 et seq.).

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

**— SANCTIONS —**

**If you do not file the *Case Management Conference Questionnaire* required by local rule, or attend the case management conference or participate effectively in the conference, the court may impose sanctions (including dismissal of the case, striking of the answer, and payment of money).**